

# **LRE & INCLUSION: UTILIZING A TIERED SYSTEM OF SUPPORTS (TSS) TO SUPPORT STUDENTS WITH DISABILITIES IN GENERAL EDUCATION SETTINGS**

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**Prepared by the New Jersey Coalition for Inclusive  
Education**

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# Webinar Objectives

- Discuss research supporting the inclusion of students with disabilities in general education settings.
- Identify how implementation of a tiered system of supports facilitates the successful inclusion of students with disabilities in general education settings.



# LRE & Inclusion

- The phrase, “Least Restrictive Environment” (LRE) identifies a continuum of services and establishes that there are multiple environments (placements) for students.
- Inclusion or Inclusive Education is the education and placement of all students in the least restrictive environment: the general education classroom.



# LRE & Inclusion

- Inclusive Education will only be successful when the students are provided the modifications, accommodations, and support they need to be successful.
- Inclusive Education advocates argue that there is almost always a way to include all students in the general education classroom.



# Common Concerns Regarding Inclusive Education

- Inclusive Education **cannot** be provided for all students. We can get 50% or maybe even 60%, but we can't include everyone....
- There are no existing models where whole districts or states practice inclusive education throughout...
  - Yes it can, and it is currently happening!
  - Inclusion is possible for all students. There are entire countries doing it right now...
  - and doing it well...
  - 99.5% inclusion: Italy



# United States

Percentage of students with disabilities in general education  
80% of the day or greater.

• Alabama	83.7%
• Colorado	72.3%
• Connecticut	69.4%
• Florida	69.3%
• Kentucky	71.8%
• Nebraska	74.9%
• New Hampshire	73.2%
• North Dakota	76%
• Rhoda Island	71.6%
• Vermont	73.8%
• New Jersey	44.9%

36<sup>th</sup> annual report to congress on the implementation of the IDEA Act published 2014



# United States Federal Law Pertaining to Students with Disabilities

- 1975: Individuals with Disabilities in Education Act (IDEA) was passed. The law calls for children with disabilities to be educated in the “least restrictive environment,” opening the door for them to join general education classes in neighborhood schools.
- IDEA 1975, 1997, 2004



# IDEA

- To the maximum extent appropriate, children with disabilities...are educated with children who are not disabled, and special classes, separate schooling or other removal from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achievement satisfactorily. IDEA Sec. 612(a)(5)





# IDEA

- (1) Special Education means **specially designed instruction**, at no cost to parents, to meet the unique needs of a child with a disability...34 CFR Sec 300.39(a)(1)
- Specially designed instruction means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction
  - To address the unique needs of the child...
  - To ensure access of the child to the general education curriculum...



# IDEA

- A child with a disability is **not removed** from education in age-appropriate regular classrooms **solely because of needed modifications in the general education curriculum** 34 CFR Sec. 300.116(e)



# IDEA

- Implementing IDEA means the general education classroom in the student's local school is the first placement option considered for each student with a disability before a more restrictive placement is considered
- IDEA-ly, all children should begin their schooling in a general education classroom



# US Department of Education and Department of Health and Human Services

- USDE and USHHS September, 2015: Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs
- It is the Departments' position that all young children with disabilities should have access to inclusive high-quality early childhood programs, where they are provided with individualized and appropriate support in meeting high expectations. This joint ED and HHS policy statement aims to advance this position by:



# US Department of Education and Department of Health and Human Services

- Setting an expectation for high-quality inclusion in early childhood programs;
- Increasing public understanding of the science that supports meaningful inclusion of children with disabilities, from the earliest ages, in early childhood programs;
- Highlighting the legal foundations supporting inclusion in high-quality early childhood programs;
- Providing recommendations to States, LEAs, schools, and early childhood programs for increasing inclusive early learning opportunities for all children; and
- Identifying free resources for States, programs, early childhood personnel, and families to support high-quality individualized programming and inclusion of children with disabilities in early childhood programs.



## US Department of Education and Department of Health and Human Services

- “This means that a “high-quality” early childhood program should be one that is inclusive of children with disabilities and their families, ensuring that policies, funding, and practices enable their full participation and success.”
- “Thus, before a child with a disability can be placed outside of the regular educational environment, the full range of supplementary aids and services that could be provided to facilitate the child’s placement in the regular classroom setting must be considered .”



# Oberti v. Board of Education

- “We construe IDEA's mainstreaming requirement to **prohibit a school from placing a child with disabilities outside of a regular classroom if educating the child in the regular classroom, with supplementary aids and support services, can be achieved satisfactorily.**
- In addition, if placement outside of a regular classroom is necessary for the child to receive educational benefit, **the school may still be violating IDEA if it has not made sufficient efforts to include the child in school programs with nondisabled children whenever possible.**
- We also hold that the school bears the burden of proving compliance with the mainstreaming requirement of IDEA, regardless of which party (the child and parents or the school) brought the claim under IDEA before the district court.”



# Oberti v Board of Education

- OBERTI v. BOARD OF EDUC., 995 F.2d 1204 (3rd Cir. 1993)
- **OPINION OF THE COURT** - BECKER, Circuit Judge.
- “[A Child} should not have to earn his way into an integrated school setting by first functioning successfully in a segregated setting. **Inclusion is a right**, not a privilege for a select few. Success in special schools and special classes does not lead to successful functioning in an integrated society, which is clearly one of the goals for IDEA.”
  - Oberti v. Bd. of Educ. of Borough of Clementon Sch. Dist., 801 F. Supp. 1392, 1403 (D.N.J. 1992) aff'd 995 F.2d 1204 (3d Cir. 1993).
- “The Individuals with Disabilities Education Act (IDEA)... provides that states receiving funding under the Act must ensure that children with disabilities are educated in regular classrooms with nondisabled children **"to the maximum extent appropriate."** 20 U.S.C. § 1412(5)(B).





# New Jersey

- NJ State Performance Plan and Annual Performance Report (SPP/APR)
- In 2005, required 30% of students to be included in general education settings 80% of the time or greater.
- In 2015, required 48% of students to be included in general education 80% of the time or greater.
- That percentage rises annually.
- That percentage requirement for inclusion in districts ***will*** rise every year for the foreseeable future.
- **We are not working to become more segregated or to remain at status quo.**



# Why the push for inclusive education?

- Research
- Research
- Research
- Thirty years of research has shown that inclusive education is more effective and shows better results for students academically, socially and emotionally.



# Common Misunderstandings regarding LRE

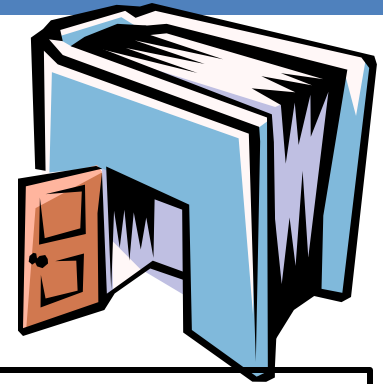
Students with disabilities show greater achievement and results in segregated settings.

OR

I can't teach them as well in this large class as a special educator can in a self-contained room with a small group.



# Research Says...



“Research overwhelmingly shows that students with disabilities, when included in general education classrooms, make greater academic progress.”

McGregor, G. & Vogelsberg, R.T. (1998)

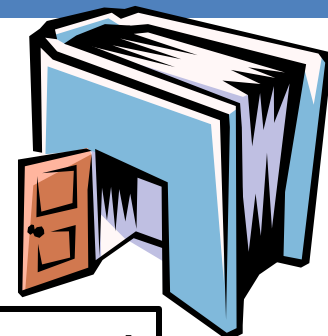
*Inclusive Schooling Practices: Pedagogical and Research Foundations.* Baltimore: Paul H. Brookes Publishing Co.

“Students with disabilities in co-taught classes significantly increased in achievement...”

Hand and Rabren (2009)



# Research Says...



“ Placement in inclusive programs led to academic gains for students with disabilities, including improved performance on standardized tests, mastery of IEP goals, grades, on-task behavior and motivation to learn.”

*National Center for Education  
Restructuring and Inclusion; 1995*

“Time spent engaged in the general education curriculum is strongly and positively correlated to math and reading achievement for students with disabilities.”

Cole, Waldron & Majd, 2004: Cosier,  
Causton-Theoharis & Theoharis,  
2013



# Research Says...



“Even with a less distracting setting, smaller student/teacher ratio and providing individualized instruction, the research has *failed to demonstrate* the effectiveness of separate class placements for students with disabilities.”

*Baker, Wang and Walberg, 1995*

“Although separate classes, with lower student to teacher ratios, controlled environments, and specially trained staff would seem to offer benefits to a child with a disability, research fails to demonstrate the effectiveness of such programs .”

Lipsky, 1997; Sailor, 2003



# Research Says...



Students with disabilities included in general education classes have:

- *Fewer absences from school.*
- *Fewer referrals for disruptive behavior.*
- *Better outcomes after high school in the area of employment and independent living.*

Wagner, M., Newman, L., Cameto, R., Levine, P. and Garza, N. (2006).



- *Students with ANY disability show greater achievement and academic progress in inclusive settings.*
- “There is no research that supports the provision of self-contained classes or separate schools as a means of offering a place in which students will have greater progress than in the neighborhood school.”
- McGregor & Vogelsberg, *Inclusive Schooling Practices: Pedagogical and Research Foundations: A Synthesis of Literature that Informs Best Practices in Inclusive Schooling*, 1998



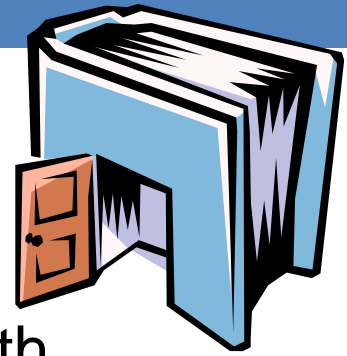


# Common Misunderstanding Regarding LRE

- Students cannot be placed in a general education classroom unless they are functioning at grade level.



# Research Says...



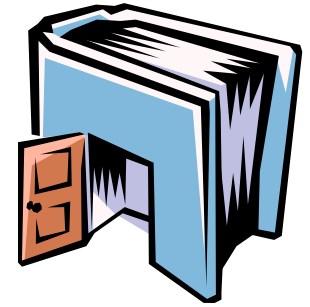
- Research and best practice show that students with severe/multiple disabilities *perform better socially and academically in less restrictive environments* with numerous and spontaneous opportunities to interact with peers.

Hocutt, A. "Effectiveness of Special Education: Is Placement the Critical Factor?" The Future of Children SPECIAL EDUCATION FOR STUDENTS WITH DISABILITIES Vol. 6 • No. 1 – Spring 1996.

- "Students with intellectual disabilities that were fully included in general education classrooms made more progress in literacy skills when compared to students served in special schools."



# Research Says...



- Cole and Meyer (1991) found that students in integrated educational placements demonstrated substantial progress on measure of social competence encompassing specific communication and social skills (initiation, self-regulation, choice and terminating contact).
- In contrast, comparison students in segregated settings showed *regression* in these areas across the two year period.

McGregor, G. & Vogelsberg, R.T. (1998) *Inclusive Schooling Practices: Pedagogical and Research Foundations*



# Common Misunderstanding Regarding LRE

- Inclusion of students *with* disabilities will interfere or impinge upon the academic performance of students *without* disabilities.



# Research Says...

- Placement in inclusive classrooms does NOT interfere with the academic performance of students without disabilities with respect to the amount of allocated time and engaged instructional time, the rate of interruption to planned activities and students' achievement on test scores and report card grades.

York, Vandercook, MacDonald,  
Heise-Neff & Caughey; 1992

“Students without disabilities made significantly greater progress in reading and math when served in inclusive settings.”

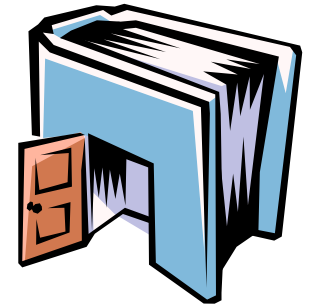
*Cole, et al., 2004*

“There is no significant difference found in the academic achievement of students without disabilities when served in classrooms with and without inclusion.”

*Sermeir, Dessemontet & Bless, 2013*



# Research Says...

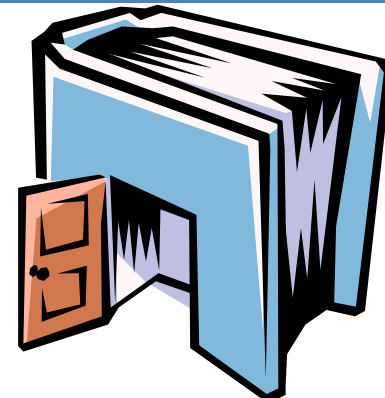


- The positive effects of inclusive education on classmates without disabilities have been well documented. Both research and anecdotal data have shown that typical learners have demonstrated a greater acceptance and valuing of individual differences, enhanced self-esteem, a genuine capacity for friendship, and the acquisition of new skills.

From *Inclusive Education: Practical Implementation of the Least Restrictive Environment*; Power-deFur and Orelove; 1997, Aspen Publishers, Inc.



# Research Says...



Low-achieving students also benefited from the review, practice, clarity, and feedback provided to students with disabilities.

From *Inclusive Education: Practical Implementation of the Least Restrictive Environment*; Power-deFur and Orelove; 1997, Aspen Publishers, Inc.



# Summary: Why Inclusion?

- Federal and State policies and regulations support the inclusion of students with disabilities in general education settings.
- Over 30 years of research supports the positive impact of inclusion on students with disabilities and all students in both behavioral and academic areas.





# Application to Students with Disabilities

“Students with disabilities...**must be challenged to excel within the general curriculum** and be prepared for success in their post-school lives, including college and/or careers....Therefore, **how these high standards are taught and assessed is of the utmost importance** in reaching this diverse group of students.”

ELA Common Core State Standards, in section titled “What is not covered?”



# How do we effectively support students with disabilities in general education settings?

- Multi-Tiered System of Supports

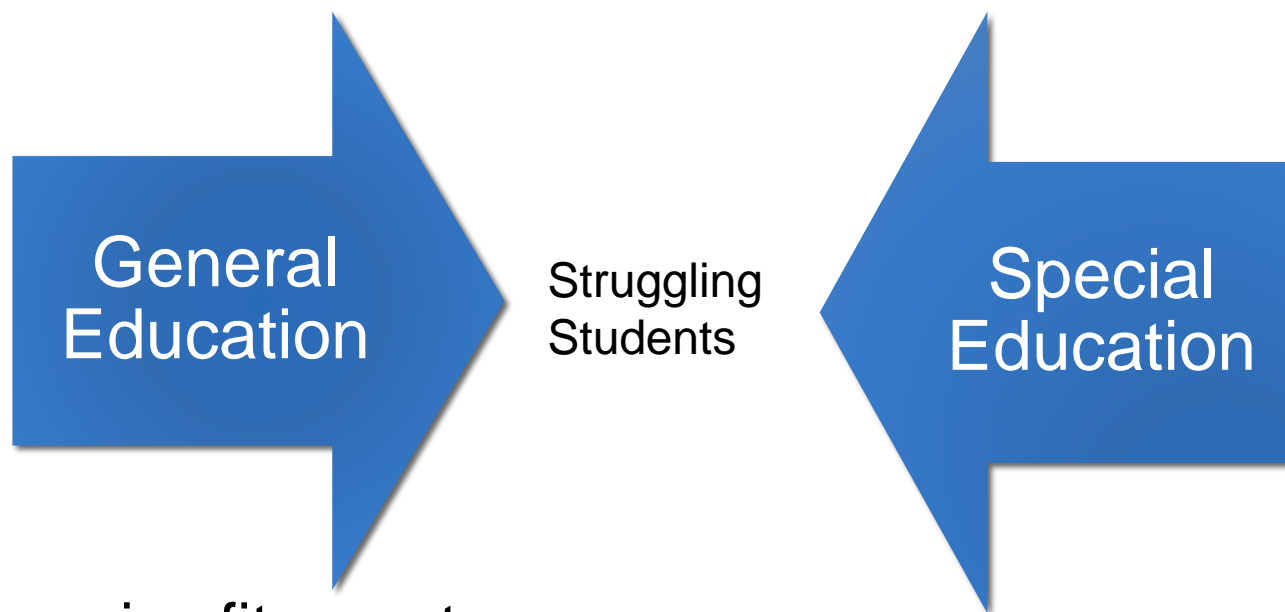


# MTSS

- Multi-tiered System of Supports (MTSS) is a framework or guide for implementation of academic and behavioral supports for all students.
- There are multiple MTSS models that are being used successfully. MTSS is an enhanced version of an RTI framework. It includes a combination of supports based on Universal Design for Learning, Differentiated Instruction, and behavioral interventions through PBS/IS.
- The New Jersey Tiered Systems of Supports (NJTSS) framework is currently under development.



# Without MTSS ...

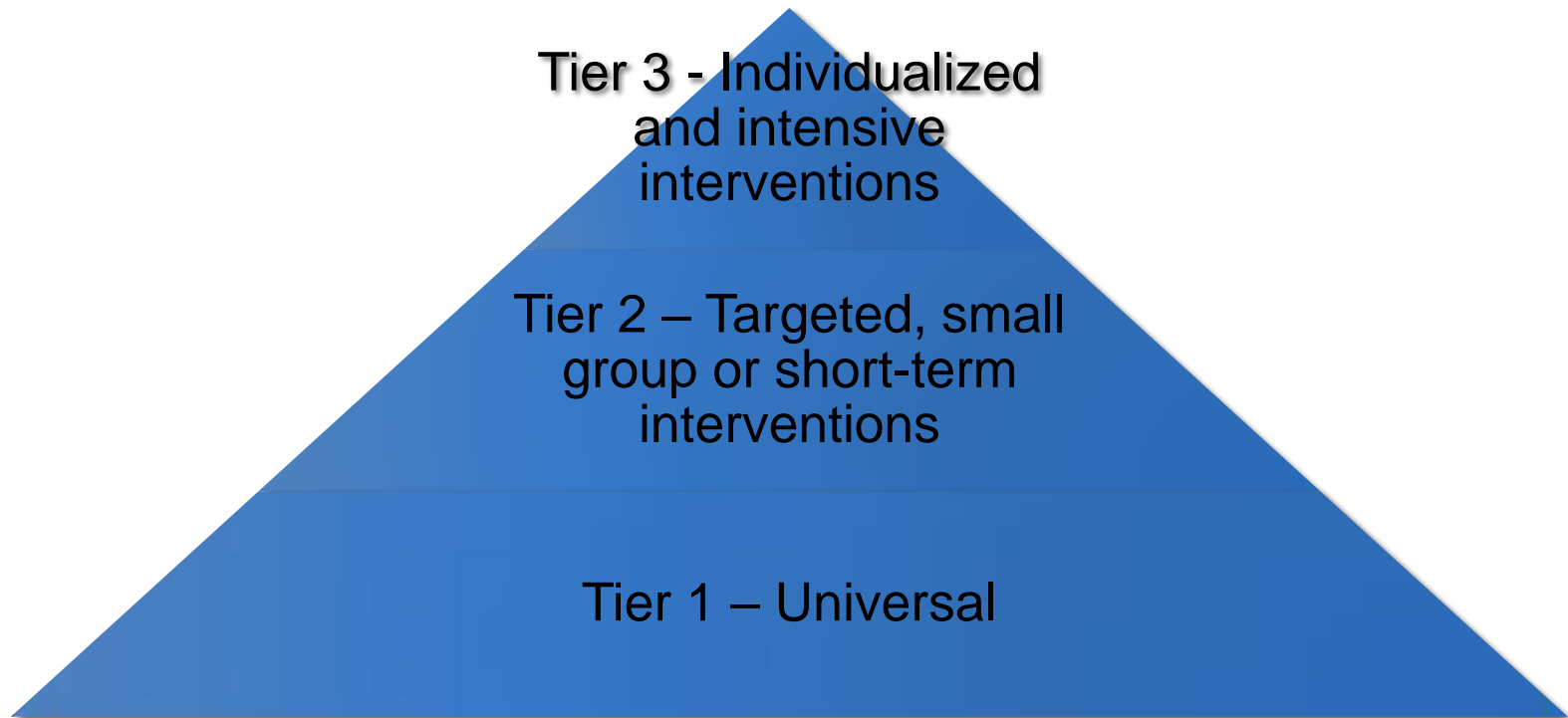


- One size fits most
- Ability to access the curriculum does not necessarily drive placement decisions



# A Multi-Tiered Model

- Each child is unique
- Ability to access the curriculum **always** drives placement decisions



# A Multi-Tiered Model

- A framework for making instructional decisions that may encompass many of your district's current programs and practices, NOT a new program in its own right, and definitely not a Special Education program
- Often referred to as a
  - Multi-tiered System of Supports (MTSS)
    - Response to Intervention model (RTI) when focusing on academics utilizing UDL to design instruction
    - Positive Behavioral Intervention and Supports (PBIS) when focusing on behavior
- Regardless of which term is used or aspect of school functioning is addressed, this framework is guided by the same principles

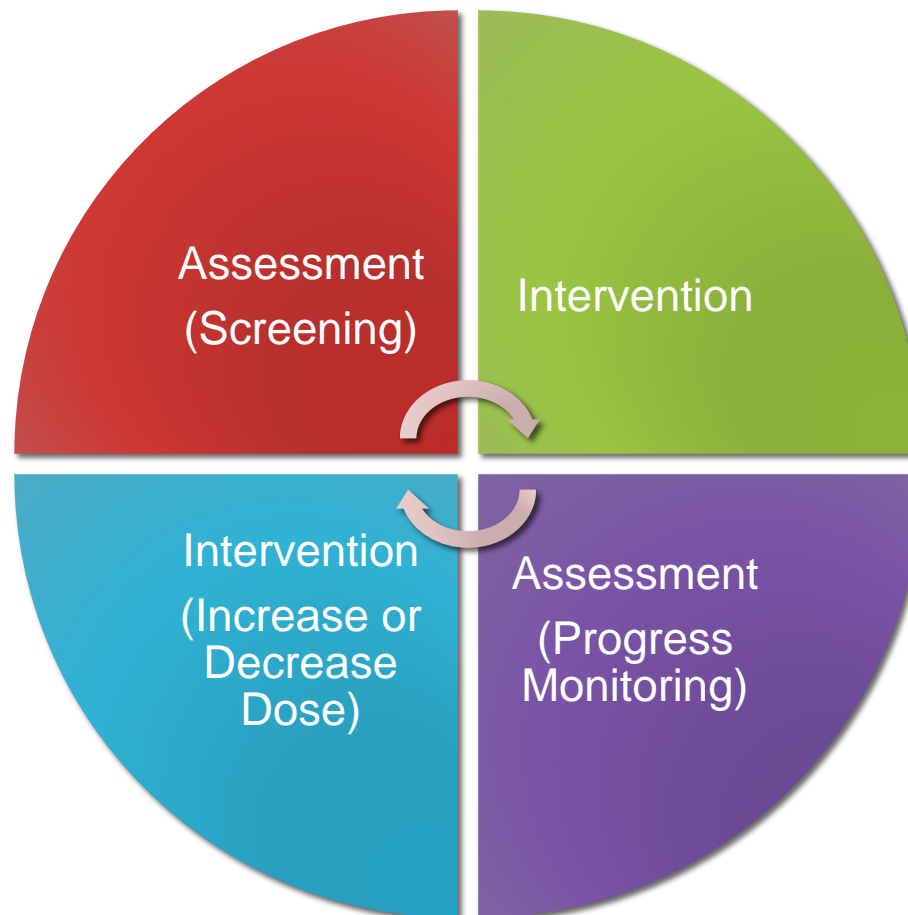


# Basic Principles of MTSS

- All educators for all learners
- Assessment drives instruction/intervention
- Match the level of support with the needs of the learner
  - If a child is not making progress, assume you need to modify the program rather than the child



# Using Data to Inform Instruction



Setting specific goals allows us to determine a child's response to intervention





# MTSS Assessment Tools

- We want to screen and progress monitor students using tools that
  - Are simple to administer
  - Can be administered in a short period of time
  - Offer alternate forms
  - Are valid and reliable
  - Assess skills that serve as good indicators of overall proficiency in a domain
    - For example, a one-minute measure of oral reading fluency is a good predictor of reading comprehension and performance on end-of-grade tests



# MTSS Assessment Tools

- These screening and progress monitoring tools are designed to let us know if instruction/intervention is effective, not necessarily to tell us what instructional changes are needed
- Think of them as thermometers that allow us to assess general health
- More in-depth skill diagnostic tools are used to determine exactly what supports are required for students who do not respond to intervention



# Tier 1 (Universal) Supports

- Students are screened multiple times each year in order to ensure that the majority are responding appropriately the core curriculum
  - Our expectation is that approximately 80 %– 85% of students have their needs met by this universal intervention
- All students are provided with this universal intervention (e.g., the full literacy block, math instruction, clearly defined school and class wide expectations) and any additional supports provided do not interfere with the provision of Tier 1 supports



# Tier 1 (Universal) Instruction

Tier 1 is not only the provision of solid core-curriculum and instruction; practices like Differentiated Instruction and Universal Design for Learning are components of Universal Instructional Practices

- Comprehensive core reading program
  - Developmentally appropriate focus on phonemic awareness, explicit phonics, fluency, vocabulary, and comprehension
- Research-based math program
  - National Council of Teachers of Mathematics
  - <http://www.nctm.org/>



School-wide Positive Behavior Intervention and Supports

## Tier 2 (Targeted) Supports

- Students who are not responsive to the Tier 1 instruction provided in any key area receive targeted interventions in order to increase their performance
  - Our expectation is that approximately 10% -15% of students have their needs met by this secondary intervention
- Targeted interventions generally take place in small-group settings in the general education classroom with delivery occurring in short, regular intervals.
- Progress is monitored frequently to ensure that students are responding to the interventions provided



## Tier 3 (Individual) Supports

- Students who are not responsive to the Tier 2 intervention provided in any key area receive intensive interventions in order to increase their performance
  - Our expectation is that up to 5% of students have their needs met by this tertiary intervention
- Intensive interventions generally take place in small group or individual settings with delivery occurring in short sessions at multiple, regular intervals
- Progress is monitored frequently to ensure that students are responding to the interventions provided



# Tier 2 & 3 Interventions

- An *intervention* includes explicit and intense **instruction** in skill areas the student has not mastered enough to close gaps between student performance and established benchmarks
- *Interventions* are intended to bring students up to level by providing systematic instruction in critical components of the content area
- *Interventions* are NOT people (e.g., reading specialist, Title I teacher) or a place (e.g., resource room)
- Interventions should be research-based and provide increased opportunities for student response, reflection, feedback, and error correction.



# Summary: Why MTSS?

- Effectively implementing a multi-tiered system of support will improve overall instructional quality and provide all students with the supports they need to be successful in school.





# Useful Resources

- New Jersey Coalition on Inclusive Education [www.njcie.org](http://www.njcie.org)
- SWIFT Schools <http://www.swiftschools.org>
- National Center on Intensive Intervention  
<http://www.intensiveintervention.org>
  - Click on “Tool Charts” to learn about the strengths and weaknesses of commonly used assessments and interventions
- RTI Action Network <http://www.rtinetwork.org/>
  - Getting Started info, PD resources
- National Center on Response to Intervention
- [www.rti4success.org](http://www.rti4success.org)



# ***Research Shows...***

**When inclusive education is  
implemented appropriately, ALL  
students benefit!**



**Inclusion works!**

